

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
(CHHATTISGARH)

Single Bench

WRIT PETITION NO. 68 OF 2006

PETITIONER

D. K. Banswar, S/o Late Sri
B. R. Banswar, aged about
47 years, presently working
as Pariyojana Adhikari, Zila
Shahari Vikas Abhikaran,
Raipur [Chhattisgarh]

68/05
P.R. No.
Presented by Shri. Savabh Sharma
dated 5/1/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh through
Secretary, Department of
Urban Administration &
Development, Mantralaya,
Dau Kalyan Singh Bhawan,
Raipur (Chhattisgarh)
2. Zila Shahari Vikas Abhikaran
Through District Collector,
Raipur [Chhattisgarh]
3. Municipal Council, Mungeli
Through its Chief Municipal
Officer, Mungeli, District
Bilaspur [Chhattisgarh]

RECEIVED-COPY
A. G. BILASPUR
5.1.06

Amended Writ
Mandamus order
dated 9-1-06

04. Mr. J. L. Thakur
Deputy Commissioner
Municipal Corporation
Raipur

WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT
IN NATURE OF CERTIORARI, MANDAMUS,
PROHIBITION AND OTHER SUITABLE WRIT OR
WRITS, DIRECTION OR DIRECTIONS, ORDER OR
ORDERS:

The petitioner, above-named, most respectfully begs to
submit as under:

आदेश पत्रक

मामला क्रमांक WP 68/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	9-1-2006 Shri Sanjay K. Agrawal, counsel for the petitioner. Shri R.K. Mishra, Govt. Advocate, for the State, on advance copy. Application for urgent hearing is allowed. Heard on I.A. No.302/2006 for impleading as party. Learned counsel for the petitioner submits that there is a typographical error in the amendment application. It is submitted that in place of the name "Mr. J.L. Thakur" the name "Mr. J.R. Thakur" has been wrongly typed. He prays for permission to correct the name. The permission is granted. The name be corrected accordingly. So far as I.A. No.302/2006 for impleading as party is concerned, it is allowed. Mr. J.L. Thakur, Dy. Commissioner, Municipal Corporation, Raipur be joined as party. Cause title be amended. Heard. Learned counsel for the petitioner submits that the petitioner has been transferred from the office of Project Officer, District Urban Development, Raipur to the office Municipal Council, Mungeli as per Annex.P/3 dated 28/12/2005. It is submitted that the petitioner has made representations (Annex.P/4 & P/5) but the same have not been considered. Learned counsel for the State on the other hand submits that the transfer is an exigency of service and the petitioner has been rightly transferred.	

[पीछे देखिये]

आदेश पत्रक

WP 68/06

मामला क्रमांक

सन 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	At this stage, learned counsel for the petitioner submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Prayer is not opposed by the State counsel. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days from today, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation. Learned counsel or the petitioner submits that the petitioner has not been relieved from the present place of posting and he has stated it in application for interim relief. He prays that the petitioner may be allowed to continue. It is directed that if the petitioner has not been relieved, he may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No. 81/2006 also stands disposed of. Certified copy as per rules.	Sd/- Fakhruddin Judge

[पीछे देखिये]

2.1.06
12.06